

ORDINANCE NO. 2021-34

EMERGENCY ORDINANCE

**BE IT ENACTED BY THE QUORUM
COURT OF THE COUNTY OF
WASHINGTON, STATE OF ARKANSAS,
AN ORDINANCE TO BE ENTITLED:**

**AN EMERGENCY ORDINANCE CALLING A
SPECIAL ELECTION ON THE QUESTION OF
THE LEVY OF THE ANNUAL DUES OF THE
BOSTON MOUNTAIN FIRE AND RESCUE
VOLUNTEER FIRE DEPARTMENT FOR FIRE
PROTECTION SERVICES; AND
PRESCRIBING OTHER MATTERS
PERTAINING THERETO.**

WHEREAS, the Boston Mountain Fire and Rescue Volunteer
Fire Department ("Department") has requested that the Washington County Quorum
Court call a special election for the levy of annual dues for each residence and commercial
property having an occupiable structure for which Department provides fire protection in
the area served by Department; and,

WHEREAS, the request has been signed by the fire chief and
all other required officers of the Board and has been duly filed with the Washington County
Clerk; and,

WHEREAS, pursuant to A.C.A. § 14-20-108, the Quorum
Court is required to call the election which shall be at the expense of the Department;
and,

WHEREAS, if the levy of the dues is approved, the dues shall
be listed annually on the property tax statements and collected by the Washington County
Collector in the same time and manner as real property taxes and personal property taxes
in accordance with A.C.A. § 14—20-108; and,

WHEREAS, the purpose of this Ordinance is to call a special
election on the question of the levy of the Boston Mountain Fire Department dues on each
residence or business having an occupiable structure in the area for which Department
provides fire protection.

42 **NOW, THEREFORE, BE IT ORDAINED BY THE QUORUM**
43 **COURT OF WASHINGTON COUNTY, ARKANSAS:**
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45 **ARTICLE 1.** That there be, and there is hereby called, a
46 special election to be held on July 13, 2021, at which election there shall be submitted to
47 the electors of Washington County, Arkansas ("County") living in the area in which
48 Department provides fire protection, the question of the levy of annual Fire Department
49 dues on each residence or business having an occupiable structure within such area.
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51 **ARTICLE 2.** That the question of the Boston Mountain Fire
52 Department dues shall be placed on the ballot for the election in substantially the following
53 form:
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55 Whether or not the dues of the Boston Mountain Fire Department
56 shall be levied against each residence and each business, having an
57 occupiable structure, in the area so served to be listed on real
58 property tax statements and collected by the Washington County Tax
59 Collector in the same manner as ad valorem taxes and collected
60 beginning with the 2021 taxes due and payable in 2022.

61 ☐ FOR the levy.

62 ☐ AGAINST the levy.
63

64 If the levy of the volunteer fire department dues is approved, the dues shall
65 be listed annually on real property tax statements and collected at the same
66 time and in the same manner as real property taxes.
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70 **ARTICLE 3.** That the election shall be held and conducted
71 and the vote canvassed and the results declared under the law and in the manner now
72 provided for county elections and only qualified voters of the County living in the area in
73 which the Boston Mountain Fire and Rescue VFD provides fire protection shall have the
74 right to vote at the election.
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76 **ARTICLE 4.** That a copy of this Ordinance shall be given to
77 the Washington County Board of Election Commissioners so that the necessary election
78 officials and supplies may be provided.
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80 **ARTICLE 5.** That the County Judge and County Clerk, for
81 and on behalf of the County, be and they are hereby authorized and directed to do any
82 and all things necessary to call and hold the special election as herein provided.
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ARTICLE 6. That the costs of the election shall be borne by

the Boston Mountain Fire and Rescue VFD.

ARTICLE 7. That the Department shall annually submit a sufficient list to the Collector reflecting dues owed so that she may properly bill such.

ARTICLE 8. That the Department of Emergency Services, the County Clerk, and the County Assessor shall assist in the preparation of a map and other information needed to effectuate said election.

ARTICLE 9. That the County Collector is hereby designated as the county official to collect the annual dues levied if approved by a majority of those voting on the issue at the election; and the County Treasurer is hereby designated as the county official to remit the annual dues collected by the Collector if approved by a majority of those voting on the issue at the election.

ARTICLE 10. EMERGENCY CLAUSE. That because this concerns a matter affecting life, health, safety, and property of the people, specifically fire protection services in the designated Boston Mountain Fire and Rescue Volunteer Fire Department service area, an emergency is hereby declared to exist and this ordinance shall be in full force and effect from and after the date of its passage and approval.

JOSEPH K. WOOD, County Judge

DATE

BECKY LEWALLEN, County Clerk

Introduced by: **JP Jim Wilson**

Date of Adoption: **April 15, 2021**

Members Voting For: **Johnson, Marti, Simons, Ussery, Deakins, Duncan, Washington, Madison, Dennis, Highers, Rios Stafford, Leming, Wilson, Pond**

Members Voting Against:

Members Abstaining:

Members Absent: **Ecke**

Quorum Court History: Regular Quorum Court (04-15-2021); Adopted